

## **Exhibit 1**

### **Index of Materials Being File**

- 1-A. Plaintiff's Original Petition
- 1-B. Citation issued to Emmert Industrial Corporation dba  
Emmert International Corporation
- 1.C. State Court Docket Sheet
- 1-D. List of all counsel of record

2009-03052  
CAUSE NO. \_\_\_\_\_

COPELAND EQUIPMENT PARTS, INC.

VS.

EMMERT INDUSTRIAL  
CORPORATION DBA EMMERT  
INTERNATIONAL CORPORATION

§  
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§

IN THE DISTRICT COURT

280 JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

FILED  
LORETTA J. COOK  
CLERK  
DISTRICT CLERK  
HARRIS COUNTY  
2009 JAN 16 AM 10:25

BY \_\_\_\_\_ DEPUTY

**PLAINTIFF'S ORIGINAL PETITION**  
**WITH REQUEST FOR DISCLOSURE AND**  
**REQUEST FOR ADMISSIONS**

1. DISCOVERY LEVEL:

Plaintiff's claim, excluding interest, costs and attorney fees exceeds \$50,000.00.

Plaintiff elects Discovery Plan "Level Two" pursuant to Texas Rules of Civil Procedure.

2. PARTIES:

A. COPELAND EQUIPMENT PARTS, INC. is "Plaintiff". Plaintiff is represented by WILLIAM C. BOYD of Patterson, Boyd & Lowery, P.C., 2101 Louisiana, Houston, Texas 77002.

B. EMMERT INDUSTRIAL CORPORATION DBA EMMERT INTERNATIONAL CORPORATION is "Defendant". Defendant may be served with process by serving their Registered Agent for service, CHRISTOPHER R. WARD, at the registered address of the corporation, 901 Main Street, Ste. #4400, Dallas, Dallas County, Texas 75202-3729.

3. JURISDICTION AND VENUE.

The amount involved is approximately **\$93,082.31**. Plaintiff's claim is for sworn account for services and/or materials furnished in Harris County. This Court has jurisdiction and venue is proper in Harris County, Texas.

4. FACTS.

Plaintiff provided services and/or materials to Defendant. The reasonable and customary value for the services and/or materials is approximately **\$93,082.31**. Demand for payment has previously been made but payment has not been received. Plaintiff seeks recovery of its account. The account is just and true. All offsets, credits and payments have been allowed. All acts by Plaintiff have been conducted in a commercially reasonable manner and all conditions precedent to filing suit have been performed.

5. CAUSES OF ACTIONS.

A. Sworn Account.

On the dates reflected in the account attached as Exhibit "A", Plaintiff, at the instance of Defendant, furnished services and/or materials to Defendant. The account is delinquent. The account is just and true. All off-sets, credits and payments have been allowed, and there is presently due and owing to Plaintiff by Defendant the sum of **\$93,082.31**.

B. Breach of Contract.

Alternatively, Plaintiff says that on or about the dates reflected in Exhibit "A", for valuable consideration Plaintiff and Defendant entered into a contract whereby Plaintiff agreed to furnish the services and/or materials in said account to Defendant, and Defendant agreed to pay reasonable value for said services and/or materials as reflected

therein. Plaintiff has substantially performed the contract and all conditions precedent to filing suit, but Defendant has breached the contract by failing to pay. Further, Plaintiff has acted in a commercially reasonable manner with respect to all acts and omissions of Plaintiff. As a proximate result of the breach, Plaintiff has been damaged in the amount of **\$93,082.31**.

C. Breach of Implied Contract.

Alternatively Plaintiff and Defendant, for valuable consideration entered into an implied contract whereby Plaintiff agreed to furnish the services and/or materials described in Exhibit "A" to Defendant. The contract is evidenced by the writing attached as Exhibit "A". Plaintiff has substantially performed the contract and all conditions precedent to filing suit. Defendant has breached the contract. Plaintiff has been damaged in the sum of **\$93,082.31** as a proximate result of the breach.

D. Unjust Enrichment.

Alternatively Defendant has been unjustly enriched at Plaintiff's detriment in the amount of **\$93,082.31**. Plaintiff seeks recovery of the unjust enrichment.

E. Quantum Meruit.

Alternatively Plaintiff seeks recovery from Defendant in the amount of **\$93,082.31** on the theory of quantum meruit.

Plaintiff has furnished valuable services and/or materials to Defendant which services and/or materials has benefited Defendant. Plaintiff expected to be compensated. A reasonable value for the services and/or materials is **\$93,082.31**.

F. Reasonable and Necessary Attorney Fees.

Plaintiff is entitled to recover reasonable and necessary attorney fees. Plaintiff has retained the law firm of Patterson, Boyd & Lowery, P.C. to file suit and has agreed to pay a reasonable fee to the law firm. All demands and conditions precedent have been performed. Plaintiff requests Judgment against Defendant in favor of Plaintiff's lawyers, Patterson, Boyd & Lowery, P.C. for reasonable attorney fees of not less than **\$30,694.00**.

G. Prejudgment and Post-judgment interest.

Plaintiff seeks recovery of prejudgment and post-judgment interest at the maximum rate permitted by law.

6. REQUEST FOR DISCLOSURE

Pursuant to Rule 194 of the Texas Rules of Civil Procedure, you are requested to disclose, within fifty (50) days of service of this request the information or material described in Texas Rules of Civil Procedure Rule 194.2(a)-(l).

7. REQUEST FOR ADMISSION:

Pursuant to Rule 198 of the Texas Rules of Civil Procedure, Plaintiff requests that you make the following admission of facts for the purposes of this action only. The responses to the Request for Admissions shall be made on or before the expiration of fifty (50) days from receipt. Please admit or deny the following:

NO. 1: That the account made the basis of the above entitled numbered suit is just and true.

RESPONSE:

NO. 2: That all offsets, credits and payments have been allowed by COPELAND EQUIPMENT PARTS, INC. to EMMERT INDUSTRIAL CORPORATION DBA EMMERT INTERNATIONAL CORPORATION.

RESPONSE:

NO. 3: That after allowing all offsets, credits and payments, there is a balance due and owing of **\$93,082.31** to COPELAND EQUIPMENT PARTS, INC. by EMMERT INDUSTRIAL CORPORATION DBA EMMERT INTERNATIONAL CORPORATION.

RESPONSE:

NO. 4: That the reasonable and customary value for the services rendered by COPELAND EQUIPMENT PARTS, INC. to EMMERT INDUSTRIAL CORPORATION DBA EMMERT INTERNATIONAL CORPORATION is **\$93,082.31**.

RESPONSE:

NO. 5: EMMERT INDUSTRIAL CORPORATION DBA EMMERT INTERNATIONAL CORPORATION agreed to pay the prices stated in the account for the items or services described in said account.

RESPONSE:

NO. 6: The prices reflected in the account were reasonable for the items or services therein described.

RESPONSE:

NO. 7: EMMERT INDUSTRIAL CORPORATION DBA EMMERT INTERNATIONAL CORPORATION promised to pay COPELAND EQUIPMENT PARTS, INC. **\$93,082.31** for the account.

RESPONSE:

NO. 8: EMMERT INDUSTRIAL CORPORATION DBA EMMERT INTERNATIONAL CORPORATION has failed to pay the account.

RESPONSE:

NO. 9: EMMERT INDUSTRIAL CORPORATION DBA EMMERT INTERNATIONAL CORPORATION received the invoices attached to COPELAND EQUIPMENT PARTS, INC.'s most recent Petition on or about the date of each respective invoice.

RESPONSE:

8. PRAYER.

Plaintiff requests that Defendant be cited to appear and file answer; that upon final hearing, Plaintiff have judgment against Defendant for its debt, prejudgment interest and post judgment interest at the maximum rate permitted by law and costs, that Judgment be rendered in favor of Plaintiff's law firm Patterson, Boyd & Lowery, P.C. against Defendant

for reasonable attorney fees; and that Plaintiff have such other and further relief to which it may show itself justly entitled.

RESPECTFULLY SUBMITTED,

PATTERSON, BOYD & LOWERY, P.C.

BY: 

WILLIAM C. BOYD

T/B/A 02779000

2101 Louisiana

Houston, Texas 77002

Phone: 713-222-0351

Fax: 713-759-0642

Attorneys for Plaintiff,  
COPELAND EQUIPMENT PARTS, INC.

**PATTERSON, BOYD & LOWERY, P.C.**

2101 Louisiana Street  
Houston, Texas 77002  
(713) 222-0351

STATE OF TX S  
COUNTY OF Harris S

BEFORE ME, the undersigned authority, on this day personally appeared Randy J. Walker, who, being by me duly sworn, states on oath that he is (Name of person making affidavit)

1. An individual trading as \_\_\_\_\_ (Trade Style if used - otherwise owner's name)
2. Agent of \_\_\_\_\_ (Name of firm), a co-partnership, composed of \_\_\_\_\_ (Name of partners) and that \_\_\_\_\_ is duly qualified and authorized to make this affidavit.
3. Agent of Copeland Equipment Parts Inc. (Name of corporation), a corporation, duly incorporated and existing under and by virtue of the laws of the State of Texas, with its principal office and domicile in the City of Houston, County of Harris, and State of Texas, and is duly qualified and authorized to make this affidavit.

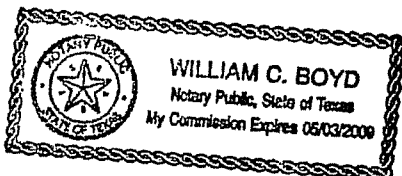
4. That the foregoing and annexed account, claim, and cause of action in favor of Copeland Equipment Parts Inc.

and against Emment International Corp

in the sum of \$93,082.31 Dollars is within the personal knowledge of Affiant just and true, and that it is due and that all just and lawful offsets, payments and credits have been allowed.

5. That the Affiant is the duly authorized custodian of the books and records pertaining to this account; that such books and records of account were kept in the regular course of business as permanent records of the business; and that the entries on said records were made by an employee at or about the dates reflected on said records and who had personal knowledge of said transactions.

SUBSCRIBED AND SWORN TO, BEFORE ME, this 12 day of November, 2001.



[Signature]  
NOTARY PUBLIC IN AND FOR  
STATE OF Texas



# Statement

**EMMERT INTERNATIONAL**  
11811 S.E. HIGHWAY 212

**Customer ID:** 5898

**For Period:** 7/1/2008 to 11/30/2008

CLACKMAS OR 97015  
USA

**Balance Forward:** \$0.00

Date	Description	Debit	Credit
7/1/2008	ORD: 1077	\$1,876.88	\$0.00
7/28/2008	ORD: 1125	\$2,414.48	\$0.00
7/28/2008	PMT: Check: made 7/28/2008	\$0.00	\$1,876.88
7/30/2008	ORD: 1145	\$129,161.17	\$0.00
7/30/2008	PMT: Other:WIRE TRANSFER made 7/29/2008	\$0.00	\$75,000.00
8/1/2008	ORD: 1161	\$18,232.50	\$0.00
8/11/2008	ORD: 1191	\$5,362.50	\$0.00
8/15/2008	PMT: Other:WIRE TRANSFER made 8/15/2008	\$0.00	\$5,362.50
8/15/2008	PMT: Other:WIRE TRANSFER made 8/15/2008	\$0.00	\$2,414.48
8/15/2008	PMT: Other:WIRE TRANSFER made 8/15/2008	\$0.00	\$54,161.17
8/15/2008	PMT: Other:WIRE TRANSFER made 8/15/2008	\$0.00	\$18,232.50
8/21/2008	PMT: Other:WIRE TRANSFER made 8/15/2008	\$0.00	\$11,479.64
8/21/2008	ORD: 1188	\$105,992.44	\$0.00
8/29/2008	PMT: Other:wire transfer made 8/28/2008	\$0.00	\$91,650.29
9/5/2008	ORD: 1268	\$1,072.50	\$0.00
10/1/2008	ORD: 1303	\$190,250.26	\$0.00
10/31/2008	PMT: Other:WIRE TRANSFER made 10/10/2008	\$0.00	\$100,000.00
11/3/2008	ORD: 1370	\$93,987.84	\$0.00
11/5/2008	PMT: Other:WIRE TRANSFER made 11/4/2008	\$0.00	\$90,250.26
11/5/2008	PMT: Other:WIRE TRANSFER made 11/4/2008	\$0.00	\$1,072.50
11/5/2008	PMT: Other:WIRE TRANSFER made 11/4/2008	\$0.00	\$2,862.51
11/7/2008	ORD: 1471	(\$905.53)	\$0.00
<b>Transaction Totals:</b>		<b>\$547,445.04</b>	<b>\$454,362.73</b>
		<b>Amount Due:</b>	<b>\$93,082.31</b>

TERMS: Net 30 Days. Past  
due invoices will bear interest  
at maximum legal rate.

Invoice No 1370

Date: 09-Oct-08

Returns: No Returns  
after ten (10) days.

### Copeland Equipment Parts, Inc.

9000 Emmott Suite A - Houston, TX - 77040  
(713) 856-0080 - Fax (713) 856-0081 - (866) 896-7148

Sold To: EMMERT INTERNATIONAL  
11811 S.E. HIGHWAY 212

Ship To: Will Call  
7200 Ertel

CLACKMAS OR 97015  
USA

Houston TX 77040  
USA

Ordered By MARK Date Ordered 09-Oct-08 Salesman WALKER R. J. Telephone 503-655-7191

Customer  
P.O.# C020590

Control No:

Ship Via: CUSTOMER P-U

ProNum:

Notes to  
Customer:

**\*\*\*ALL EQUIPMENT AND PARTS ARE SOLD WITHOUT  
WARRANTY IN AN "AS IS, WHERE IS" CONDITION UNLESS  
OTHERWISE STATED ON THIS INVOICE. ALL RETURNED  
PARTS SUBJECT TO A 20% RESTOCKING FEE.\*\*\***

*All manufacturers names, numbers, symbols and  
descriptions are used for reference purposes only,  
and it does not imply that any part listed is the  
product of these manufacturers.*

Quantity Ordered	Quantity Shipped	Back Order	Part Number	Description	Code	Type	Unit Price	Extended Price
44	44	0		FLAT WASHER	102	U	\$0.81	\$35.64
5	5	0		8" X 40' WIDE FLANGE BEAM	102	U	\$316.38	\$1,581.90
2	2	0		TACH CABLE	102	U	\$207.00	\$414.00
32	32	0		ABRSV WHEELS	102	U	\$9.45	\$302.40
4	4	0		MUFFLER CLAMPS	102	U	\$7.50	\$30.00
4	4	0		207-62-51310 HOSE	102	U	\$330.34	\$1,321.36
6	6	0		HOSE CLAMP	102	U	\$3.86	\$23.16
2	2	0		PIPE REDUCER	102	U	\$5.24	\$10.48
4	4	0		7/8 HOSE WATER	102	U	\$10.15	\$40.60
1	1	0		1/2 X 48 X 96 STEEL PLATE	102	U	\$731.59	\$731.59
1	1	0		10" CHANNEL	102	U	\$428.18	\$428.18
1	1	0		3/8 PLATE STEEL	102	U	\$212.18	\$212.18
5	5	0		2" ANGLE	102	U	\$84.25	\$421.25
44	44	0		10.9 METRIC BOLTS	102	U	\$8.22	\$361.68
2	2	0		4" X 20' CHANNEL	102	U	\$129.69	\$259.38
1	1	0		RADIATOR HOSE	102	U	\$186.41	\$186.41
1046	1046	0		MILLAGE 2 TRUCKS 523 MILES EACH	102	U	\$2.50	\$2,615.00
2	2	0		RD1912-30 VALVE	102	U	\$342.92	\$685.84

Rec'd By:

www.copelandinc.com

sales@copelandinc.com

TERMS: Net 30 Days. Past  
due invoices will bear interest  
at maximum legal rate.

Invoice No 1471

Date: 07-Nov-08

### Copeland Equipment Parts, Inc.

Returns: No Returns  
after ten (10) days.

9000 Emmott Suite A - Houston, TX - 77040  
(713) 856-0080 - Fax (713) 856-0081 - (866) 896-7148

Sold To: EMMERT INTERNATIONAL  
11811 S.E. HIGHWAY 212

Ship To: Will Call  
7200 Ertel

CLACKMAS OR 97015  
USA

Houston TX 77040  
USA

Ordered By DAVE FISHER Date Ordered 07-Nov-08 Salesman WALKER R. J. Telephone 503-655-7191

Customer P.O.# VERBAL Control No: \_\_\_\_\_ Ship Via: CUSTOMER P-U  
ProNum: \_\_\_\_\_

Notes to  
Customer: \_\_\_\_\_

**\*\*\*ALL EQUIPMENT AND PARTS ARE SOLD WITHOUT  
WARRANTY IN AN "AS IS, WHERE IS" CONDITION UNLESS  
OTHERWISE STATED ON THIS INVOICE. ALL RETURNED  
PARTS SUBJECT TO A 20% RESTOCKING FEE.\*\*\***

*All manufacturers names, numbers, symbols and  
descriptions are used for reference purposes only,  
and it does not imply that any part listed is the  
product of these manufacturers.*

Quantity Ordered	Quantity Shipped	Back Order	Part Number	Description	Code	Type	Unit Price	Extended Price
2	2	0		11 GA. SS PERFORATED METAL GRILL	102	N	\$1,650.00	\$3,300.00
2	-2	0		PBFB-KAN-B2J VALVE	102	N	\$421.74	(\$843.48)
1046	-1046	0		MILLAGE	102	N	\$2.50	(\$2,615.00)
2	-2	0		RD1912-30 VALVE	102	N	\$342.92	(\$685.84)

- ☒ Applicable Sales Tax Applies  
☐ Out of State Sale, Hauled by Common Carrier  
☐ Sales and Use Tax Exempt  
☐ Arizona Taxation Applies  
PAYMENT: \_\_\_\_\_ C.O.D.

SUB-TOTAL: (\$844.32)  
Tax Rate: 7.25% TAX: (\$61.21)  
FREIGHT: Collect  
TOTAL: (\$905.53) US\$

Rec'd By: \_\_\_\_\_

www.copelandinc.com

sales@copelandinc.com

**Copeland Equipment Parts, Inc.**

9000 Emmott Suite A. Houston, Texas 77040  
(713) 856-0080 - Fax (713) 856-0081 - (866) 896-7148

## Statement

EMMERT INTERNATIONAL  
11811 S.E. HIGHWAY 212

Customer ID: 5898

Wednesday, November 12, 200

CLACKMAS OR 97015  
USA

Inv No	Date	Amount	Date Due	Amt Paid	Amt Due
1370	10/9/2008	93,987.84	11/8/2008	\$0.00	\$93,987.84
1471	11/7/2008	(\$905.53)	12/7/2008	\$0.00	(\$905.53)
		<b>\$93,082.31</b>		<b>\$0.00</b>	<b>\$93,082.31</b>

RECEIPT NUMBER 1186 0.00  
 TRACKING NUMBER 72370832 ATY

CAUSE NUMBER 200903052

PLAINTIFF: COPELAND EQUIPMENT PARTS INC  
 vs.  
 DEFENDANT: EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNAT  
 In The 280th  
 Judicial District Court of  
 Harris County, Texas

CITATION CORPORATE

THE STATE OF TEXAS  
 County of Harris

EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNATIONAL CORPORATION) By  
 BY SERVING ITS REGISTERED AGENT CHRISTOPHER R WARD  
 901 MAIN STREET STE #4400 DALLAS TX 75203729

Delivered 2/11 / 10  
55  
 Sizemore & Associates

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION REQUESTS FOR ADMISSIONS AND DISCLOSURE

This instrument was filed on the 16th day of January, 20 09, in the  
 above cited cause number and court. The instrument attached describes the claim against you.

**YOU HAVE BEEN SUED;** you may employ an attorney. If you or your attorney do not file a written answer with the  
 District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were  
 served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 20th day of  
January, 20 09.

Issued at request of:  
 BOYD, WILLIAM CLARK  
 2101 LOUISIANA  
 HOUSTON, TX 77002  
 Tel: (713) 222-0351  
 Bar Number: 2779000



Loren Jackson  
**LOREN JACKSON**, District Clerk  
 Harris County, Texas  
 201 Caroline, Houston, Texas 77002  
 P.O. Box 4651, Houston, Texas 77210

Generated by: DOZIER, ANGELLIA P Y9V/KII/830714

OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the 10 day of February, 20 09, at 5:20 o'clock P.M., endorsed  
 the date of delivery thereon, and executed it at \_\_\_\_\_,  
 (street address) (city)

in \_\_\_\_\_ County, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.,  
 by delivering to \_\_\_\_\_, by delivering to its  
 (the defendant corporation named in citation)

\_\_\_\_\_, in person, whose name is \_\_\_\_\_,  
 (registered agent, president, or vice-president)

a true copy of this citation, with a copy of the \_\_\_\_\_ Petition attached,  
 (description of petition, e.g., "Plaintiff's Original")

and with accompanying copies of \_\_\_\_\_,  
 (additional documents, if any, delivered with the petition)

I certify that the facts stated in this return are true by my signature below on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

FEE: \$ \_\_\_\_\_

By: \_\_\_\_\_  
 (signature of officer)

Printed Name: \_\_\_\_\_

\_\_\_\_\_  
 Affiant Other Than Officer

As Deputy for: \_\_\_\_\_  
 (printed name & title of sheriff or constable)

On this day, \_\_\_\_\_, known to me to be the person whose signature  
 appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was  
 executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
 Notary Public

NJINT CATCP



EXHIBIT 1-B


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**Chronological Case History**

Style	COPELAND EQUIPMENT PARTS INC VS. EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNAT									
Case Number	200903052	Case Type	CONTRACT							
File Court	280	Case status	ACTIVE	Jury Fee Paid Date	N/A	File Date	01/16/2009			
Current Court	280	Next Setting	N/A	File Location	CENTRAL INTAKE 1ST					
Judgment For	N/A									
Judgment Date	N/A	Image Number	--	Volume	--	Page #	--	Pgs	--	

Date	Event Type	Description
02/11/2009	SERVICE	PERSON SERVED: EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNATIOANL CORPORATION) SERVICE TYPE: CITATION CORPORATE INSTRUMENT: ORIGINAL PETITION
01/16/2009	DOCUMENT	ORIGINAL PETITION ATTORNEY: BOYD, WILLIAM CLARK

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**Case Setting History**

Style	COPELAND EQUIPMENT PARTS INC VS. EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNAT									
Case Number	200903052	Case Type	CONTRACT							
File Court	280	Case status	ACTIVE	Jury Fee Paid Date	N/A	File Date	01/16/2009			
Current Court	280	Next Setting	N/A	File Location	CENTRAL INTAKE 1ST					
Judgment For	N/A									
Judgment Date	N/A	Image Number	--	Volume	--	Page #	--	Pgs	--	

Date	Time	Court	Docket Name	Party Requesting	Setting Reason	Results
*** NO SETTING RECORDS FOUND FOR CASE ***						

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**Party Information-Summary**

<b>Style</b>	COPELAND EQUIPMENT PARTS INC VS. EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNATIONAL CORPORATION)						
<b>Case Number</b>	200903052	<b>Case Type</b>	CONTRACT				
<b>Case Status</b>	ACTIVE	<b>Current Court</b>	280	<b>File Court</b>	280		
<b>Next Setting</b>	N/A	<b>File Location</b>	CENTRAL INTAKE 1ST	<b>Plaintiffs</b>	1	<b>Defendants</b>	2
<b>Judgment For</b>	N/A						
<b>Judgment Date</b>	N/A	<b>Image Number</b>	--	<b>Volume</b>	--	<b>Page #</b>	--

Summary list of parties connected to this case:			
Name	Connection	Party Status	Associated Attorney
COPELAND EQUIPMENT PARTS INC	PLAINTIFF	N/A	BOYD, WILLIAM CLARK
EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNATIONAL CORPORATION)	REGISTERED AGENT	N/A	N/A
EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNATIONAL CORPORATION)	DEFENDANT	N/A	N/A
EMMERT INTERNATIONAL CORPORATION	DEFENDANT	N/A	N/A

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**Service Summary**

Style	COPELAND EQUIPMENT PARTS INC VS. EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNAT								
Case Number	200903052	Case Type	CONTRACT						
File Court	280	Case status	ACTIVE	Jury Fee Paid Date	N/A	File Date	01/16/2009		
Current Court	280	Next Setting	N/A	File Location	CENTRAL INTAKE 1ST				
Judgment For	N/A								
Judgment Date	N/A	Image Number	--	Volume	--	Page #	--	Pgs	--

<b>Date Served</b>	<b>Party Being Served</b>	<b>Service Type</b>	<b>Service Status</b>
02/11/2009	EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNAT	CITATION CORPORATE	SERVICE RETURN/EXECUTED

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**Case Notices**

Style	COPELAND EQUIPMENT PARTS INC VS. EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNAT									
Case Number	200903052	Case Type	CONTRACT							
File Court	280	Case status	ACTIVE	Jury Fee Paid Date	N/A	File Date	01/16/2009			
Current Court	280	Next Setting	N/A	File Location	CENTRAL INTAKE 1ST					
Judgment For	N/A									
Judgment Date	N/A	Image Number	--	Volume	--	Page #	--	Pgs	--	

Notice Date	Activity Date	Description	Connection to Case	Name, Address & Phone
*** NO NOTICES FOUND FOR CASE ***				

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**Consolidated Case Listing**

Style	COPELAND EQUIPMENT PARTS INC VS. EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNAT								
Case Number	200903052	Case Type	CONTRACT						
File Court	280	Case status	ACTIVE	Jury Fee Paid Date	N/A	File Date	01/16/2009		
Current Court	280	Next Setting	N/A	File Location	CENTRAL INTAKE 1ST				
Judgment For	N/A								
Judgment Date	N/A	Image Number	--	Volume	--	Page #	--	Pgs	--

<b>Adjunct Case Number</b>	<b>Consolidation Date</b>	<b>Deconsolidation Date</b>
*** NO CONSOLIDATION RECORDS FOUND FOR CASE ***		

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**Microfilmed/Imaged Court Orders**

Style	COPELAND EQUIPMENT PARTS INC VS. EMMERT INDUSTRIAL CORPORATION (DBA EMMERT INTERNAT									
Case Number	200903052	Case Type	CONTRACT							
File Court	280	Case status	ACTIVE	Jury Fee Paid Date	N/A	File Date	01/16/2009			
Current Court	280	Next Setting	N/A	File Location	CENTRAL INTAKE 1ST					
Judgment For	N/A									
Judgment Date	N/A	Image Number	--	Volume	--	Page #	--	Pgs	—	

Date Signed	Activity	Image #	Volume	Page	#Pages	Order Type	Sealed/General
*** NO MICROFILMED/IMAGED ORDERS FOUND FOR CASE ***							

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**EXHIBIT 1-D**